

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
DOCKET NO. 3:20-CV-00074-FDW

TINA HOOPER,

Plaintiff,

vs.

KILOLO KIJAKAZI, *Acting Commissioner
of Social Security*¹

Defendant.

ORDER

THIS MATTER is before the Court on Plaintiff's Motion for Attorney Fees pursuant to 42 U.S.C. § 406(b) (Doc. No. 30) filed on November 29, 2021.

Upon consideration of Plaintiff's petition for attorney's fees, and Defendant's response (Doc. No. 32), it is hereby ORDERED that Plaintiff's counsel is awarded fees under 42 U.S.C. § 406(b) in the amount of \$10,996.50, and, if applicable, ORDERED to refund to Plaintiff the smaller award between this amount and the amount counsel previously received under the EAJA.

IT IS SO ORDERED.

Signed: December 14, 2021



Frank D. Whitney
United States District Judge



¹ Kilolo Kijakazi became the Acting Commissioner of Social Security on July 9, 2021. Pursuant to Rule 25(d) of the Federal Rules of Civil Procedure, Kilolo Kijakazi should be substituted, therefore, for Andrew Saul as the defendant in this suit. No further action need be taken to continue this suit by reason of the last sentence of section 205(g) of the Social Security Act, 42 U.S.C. § 405(g).